Previous references.

File No.
34 of 03-04

1904

(Salaries & allowances)

Later references.
Recd Sept 2 08 No 1172-SRA-614-07
ml. 589—07 (1—14)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 6

PART B. FOR July

SUBJECT.

Declining grant of pension to Naranappa late Nazir, Munsiff's court, Nanjangud.

FILE No. 34 of 03-04.

Declining grant of Pension to Naranappa, late Deputy Nazir, Nanjangud Munsiff's Court.

1 From the Private Secretary to His Highness the Maharaja, No. 2342—1, dated 1st February 1904.
Transfers for report the petition of Naranappa complaining of the delay in passing orders on his pension papers.

2 To the Registrar, Chief Court, No. P. & A. 1584, dated 13th February 1904.
Forwards the above petition for report as to the cause of delay and requests early submission of the pension application for orders of Government.

3 From the Registrar, Chief Court, No. 4999—226, dated 15th February 1904.
Explains the delay and states that the Comptroller reports that the applicant is not entitled to pension as his suspension entailed forfeiture of his service.

4 To the Registrar, Chief Court, No. P. & A. 1969, dated 14th March 1904.
States that his report is not sufficiently full and explanatory on certain points and calls for further information.

5 From the Registrar, Chief Court, No. 6964—298, dated 24th May 1904.
Submits complete report on the subject.

6 To the Registrar, Chief Court, and Naranappa, late Nazir of Munsiff's Court, Nanjangud, No. 243-4—S. & A. 34-03, dated 11th July 1904.
Declines to grant the prayer of Naranappa for pension.

General and Revenue Secretariat.

~~Office of the Dewan of Mysore.~~

Office Note.

File No. (if any)

Directions.

No., date and purport of receipts to be entered in red, and office note in black ink in order of dates.—To be written only on one side, and inside the line of margin.

Branch Paud A

Subject Pension to Narainappa late Deputy Nazir of the Nanjangud Munsiffs court.

Memo No. 2342 dated 1st Feb; 1904. from the Private Secretary to H. H. the Maharaja

---

Narainappa submitted a memorial to H. H. the ~~Maha~~ Maharaja complaining against the delay in the ~~pro~~ disposal of his pension case and praying for early sanction of the pension. The memorial was transferred on 1st Feby/04 by the Private Secretary to H. H. the Maharaja to the Secretariat for report as to the alleged delay. Thereupon the Registrar of the Chief Court was requested to report as to the alleged delay and to expedite the submission of the memorialist's pension application to Govt for orders.

The Registrar of the Chief Court States in reply that the pension application of the petitioner who was retired in July 1901 was finally forwarded on the 18th Decr 1903 to the Comptroller for verification and report to Govt Orders, that on the 30th ultimo, the Comptroller returned it to him with the remark that under art: 273(c) of the M. S. Regulations, the pension of the applicant, which was not immediately followed by reinstatement entailed the forfeiture of past service and the petitioner had no claim to any pension and that copy of the Comptroller's remark was forwarded to the Dy Judge of Mysore for information and communication to the applicant.

Subt. for information or orders.

DMB
22/2/04

JB
22/2/04

The Chief Court Registrar's reply is meagre. What is the cause of the delay between July 1901 and Decr 1903 is not explained.

Why the applicant is not entitled to any pension because he was under

suspension does not appear. The year in which he was suspended is not reported.

A fuller report together with the file connected with the case may be called for

Subd to the Dewan thro' the 2nd I.E.

KK 23/2/04

†† Yes, the further information required may be called for together with the papers relating to the case

KK 24/2

24/2/04

1607/24.2.04

all right

24.2.04

KK 27/2/04

7 Docket No. Pta 1969 dated the 14th March 1904 to the Registrar of the chief court of Mysore calling for the further information together with the papers.

Docket No. Pta 2220 d: 14th April 1904 to the Registrar of the chief Court of Mysore requesting an early reply.

Docket No. Pta 2720 d: 21st May 1904 to the Registrar of the chief Court of Mysore

Mysore, requesting an early reply

Letter No. 6964/298 dated the 24th May 1904. from the Registrar of the Chief Court of Mysore submitting the additional information called for and also copy of the Proceedings of the Chief Court No. 355/20 d: 8th July 1901

Narainappa was suspended and subsequently, without being re-instated, on discharge by the Magistrate, retired under the orders of the Chief Court. He has therefore, under art: 273 of the Mysore Service Regulations, forfeited his past service and lost his claim to pension.

It seems from the last sentence of the Proceedings of the Chief Court that the intention of the Chief Court was not to deprive the man of the benefit of his pension for the service already rendered but that it was simply ~~wrong~~ to retain him no longer in the ~~service~~ service (since he was not an honest man) no ^ In this view, the technical objection may perhaps be waived and Narainappa be granted the pension he is entitled to.

Subd. forwd.

DMR
7/6/04

If the Govt: are pleased to waive the objection, the Case would appear to be one to be dealt with under art 317 of the Mysore Service Regulations.

Subd. by the Secy
Mysore 7.6.04

PJ

Offg. Secretary's Remarks.

Strictly speaking, under Article 273 of the Mysore Service Regulations, the petitioner's service has all become forfeited as his suspension (ordered in October 1900) was not followed by reinstatement. But the Chief Court themselves, in refusing to retain the man any longer in the service directed that he should be retired on such pension as he might be entitled to. Under such circumstances Government need not, it is submitted, insist upon the forfeiture of past service, and may direct the Comptroller to verify and report upon the pension application of the petitioner. A copy of the Chief Court's Order of July 1901 should be furnished to the Comptroller if this has not been already done, as that order deals with the date of birth of the applicant.

The reason for the long delay in this case has not even now been satisfactorily reported upon. It is stated that the pension application was ~~not~~ received by the District Judge (from the Munsiff) nearly a year after the order of retirement was passed by the Chief Court in July 1901,

and that the subsequent delay in the District

Judge's report was due to the necessity of returning the papers

for correction and completion. Further details

are not given by the Chief Court.

His Highness the Chief has called

for a report in this case as to the delay in the

disposal of the case.

Submitted to the Dewan through the

1st. Councillor.

Ummed Sam Rao
5/6/04

1550
5/6/04

The main ground as
disclosed in the Order of the
Chief Court was mere
dissatisfaction - such an
official decision no con-
-ception - & would strictly
enforce the Rules in his
case. The Chief Court's
order does not entitle him
to a pension. At present
his retirement "on such
pension as he may be
entitled to". But under
the Rules he is entitled to
no pension.

8/6/04

8/6/04.

1826
10.0

8

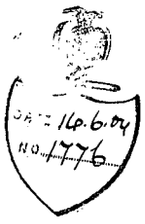
Submitted to His Highness.

A report explaining the reason
for delay has been called for
and this is furnished
in the Chief Court letter
No. 6964/298 of 24th May 1904.

I agree with the Collector
in thinking that the Petitioner
has but little to the
favour, and does not de-
serve any special con-
sideration. The
application for remission
will be disposed of accordingly

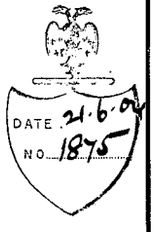
10.VI.04

Record of Case submitted for the orders of His Highness the Maharaja.



Subject.

Papers relating to the claim of Narnapp late Deputy Nazir of the Nanjungud Munsiffs' Court for pension



Order.

I agree with the Dewan

~~KRW~~

16/6/04

Orders as

16.6.04

18.6.04

File D/S

Prepare order accd

22.6.1904

2 D/S 2

22/6/04

22/6/04

10

OFFICE OF THE PRIVATE SECRETARY TO
HIS HIGHNESS THE MAHARAJA OF MYSORE.

No 2342/1

Bangalore, 1st February 1904.

Petition as shown below, to His Highness the Maharaja, is transferred to the Secretary to the Government of Mysore in the ~~for~~ General Department, Bangalore, for report as to the -- alleged delay.

By Order,

I.C.S.
Private Secretary
to H. H. The Maharaja of Mysore.

Recd from the Private Secy. Nr. 23 dated 1-2-04 for report 2-2-04

1170 Fda 1903

To

His Highness Sri Krishnaraj Wodeyar Bahadur
Maharaja of Mysore

1740 The Humble Petition of Narasappa Pensioned Depty Nazir of Nanjangud Munsiff's Court

Mysore Government
General and Revenue Secretariat
Petition Department
Rg'd No 17408 V
Date 2-2-1904

Respectfully Sheweth,

That I in July 1901 he was retired by the Hon. Chief Court on pension though he was certified by the Civil Surgeon that he was fit for further service.

Rec'd 30.1.04

That in connection with the above, the Petitioner had addressed the District Court and the Chief Court several times that his pension amount which comes to about 5 Rs a month may be ordered to be paid to him without delay as he was a man of large family and possessed of very limited means to maintain himself and his family. Expecting that the matter would be settled in a short time the Petitioner waited till now. Yet he sees no chance whatever of an early payment. In these Circs the Petitioner has thought that his only remedy is to appeal to his Sovereign and to lay at his feet the his grievance trusting that he will meet with an early relief. In these days of epidemic Your Highness too well Knows that a poor mans life is like a bubble on the water. It will be a source of immense relief and gratification to Your Highness' poor and humble subject to see that he will have earned his small pension before

MYSORE GOVERNMENT. (2)

General & Revenue Secretariat

N. Pen. 13 04-07 13/2/04

OFFICIAL MEMORANDUM.

The accompanying ~~—~~ Petition Registered No. 1740R dated 2/2/04 received at the Mysore Government, General & Revenue Secretariat, from ~~—~~ Narasappa retired Dy Nazir of the Nanjangud Municipal court, praying for early sanction of his pension

is forwarded, ~~together with its enclosure~~ to the Registrar of the High Ct of Mysore for early report as to the alleged delay and for submission of the petitioners pension application to Govt for orders at a very early date

By Order,

13/2/04

Secretary.

Bangalore, 12/2/1904 190

MGCPB—1000—18.8.03

No 4999
226

P&A 1147 (3) 14

Bangalore
15th February 1904.

From

V. A. Raya Rama Murti Esq.
Registrar of the Chief Court
of Mysore.

To

L Ananthasami Rao Esq.
Offg. Secretary to the Govt.
of Mysore, Genl: & Rev: Depts:

Sir,

With reference to your official memorandum No P&A. 1584 dated 13th instant, forwarding a petition from Ramappa, retired Dy. Nazir of the Kanya -gud Munsiff's Court, and calling for a report as to the alleged delay in the submission of his pension application for the orders of Government, I am directed to state that the petitioner was retired as per this Court's Proceedings No 355/20 dated 8th July 1901 and that his application for pension was received in this office on the 7th November 1903. On the 26th Idem, it was returned to the District Judge of Mysore for insertion in the application, of the services rendered by the

applicant

applicant as pinnacle of Ramjanand
Ramaiya Court from 1st March 1894
to 31st July 1895 which fact was
omitted to be entered in the applica-
tion though it was mentioned in the
applicant's service Register. The District
Judge returned the application duly
corrected on the 16th December 1905.
On the 18th idem the application with
its enclosures was sent to the Comp-
troller for verification and Comptro-
ller for final
mission to Government ~~for~~ orders. But the Comptroller returned
it to this office on the 30th ultimo
with the remark that under Article
273 (c) of the Pension Service Regula-
tions, the suspension of the appli-
cation, which was not immediate-
ly followed by reinstatement, has
entailed the forfeiture of his past
service and that therefore he has
no claim to any pension. Copy of
the above remark has been for-
warded to the District Judge of
Mysore for information and

communication.

communication to the applicant

I have the honor to be,
Sir,
Your most obedient Servant,
Registrar.

17 (G)

To

The Registrar of the
Chief Court of
Mysore

No. Pd a 969

Dy. 14th March 1904.

His letter No. 4999/226
d. 15th Feby 1904 reporting
that the pension application
of Naranappa late Deputy
Nazir of the Nanjangud
Munsiff's court who was
retired in July 1901, was
finally forwarded on the
18th Decr 03 to the Comptroller
in Mysore for verification
and report to Govt for
order, that on the 30th
~~ult~~ ultimo, the Comptroller
returned it to him with
the remark that under
art: 273 (c) of the M.S.
Regulations, the suspension
of the applicant which
was not immediately
~~for~~ followed by reinstate
-ment, entailed the
forfeiture of past service
and that the petitioner had no
claim to any pension

With refce to the above
has the honor to state
that the Registrar's report is

2/3/04

2/3

No. Pd 969 dt. 14/3/04

A half-sufficient affidavit
in support of the
application ~~for~~ for
the application was sub-
mitted showing he is not
entitled to any pension
and what the cause of
the delay was between
July 1901 and Dec 1903.
A Register is therefore
requested to direct
for the issue of blank a
further affidavit together
with the forms relating
to the case.

L. Hayes

No 6964 Ja
298

(5)

Rda 1747

Bangalore, 24th May 1904. 19

From

V. A. Rajaratna Moodeliar Esquire,
Registrar of the Chief Court
of Mysore

To,

L. Anantasami Row Esquire,
Offg Secretary to the Government
of His Highness the Maha-
raja of Mysore,
Genl & Rev. Depts.

Sir,

With reference to your Docket No: 1969/Pta dated 14th March 1904, requesting to be inform-ed when Ramappa late Deputy Nazir of the Ramnagode Munsiff's Court was suspended and why he is not entitled to any pension and what the cause of the delay was in the submission of his pension pa-pers, I am directed to state that Ramap-pa was suspended with effect from 19th October 1900 pending disposal of a charge of altering his date of birth in his service

Reports

2.

Register. The Magistrate having discharged Ramappa under section 209 of the Criminal Procedure Code, he put in a petition to the Munsiff of Nanjangud asking that he be reinstated & this petition which was submitted by the District Judge to the Chief Court. This Court on perusal of the records passed an order on the 8th July 1901 directing Ramappa's retirement. A copy of the said order is enclosed.

2. The Comptroller returned the petition with the remark that under Article 273(c) of the Mysore Service Regulations, Ramappa's suspension, which was not immediately followed by reinstatement, has entailed the forfeiture of his past service and that he has therefore no claim to any pension.

3. The District Judge of Mysore states that the delay in the pension papers is due to the receipt of the application in his

Office

Office nearly one year after the order of retirement was passed and to the necessity of returning the papers for correction and Completion

I have the honor to be,

Sir,

Your most Obedient Servant,

A Ryckman

Registrar

No 355 1/2
20

GOVERNMENT OF MYSORE

Proceedings of the Civil Court of Mysore

Bangalore 8th July 1907.

Read letter No 2273/393 dated the 6th June 1907 from the District Judge of Mysore, forwarding for the orders of this Court, copy of docket No 239 dated the 5th idem from the Munsiff of Nanjangode giving effect to a petition presented by Nanappa Dy. Nazir of this Court.

Nanappa who is under suspension, prays that he may be permitted to join his appointment in the Munsiff's Court at Nanjangode.

He was prosecuted for offences under Sections 466 and 471 of the Penal Code, and was discharged by the Magistrate under Section 209 of the Procedure Code.

The record has been perused. The evidence does not show that Nanappa's Service Register was in his Custody and that it was he who altered the date of birth in the Register from 5th November 1845 to 12th May 1853, and his age at the date of his first appointment from 37 Years 8 months and 3 days to 29 years and 4 months. The Magistrate was not wrong in finding that the evidence was insufficient to establish the charge of forgery

Notwithstanding

Notwithstanding Records of discharge, the facts of the case show that Ramappa is not altogether innocent. The date of his entry into Service is 3rd August 1882. On that date, his age was stated the 37 years, 8 months and 3 days. These dates would show that he was born in 1845. The statement which he made before the Munsiff that he did not know whether it was upon information furnished by him that the above entries were made in the Service Register, is not worthy of credit.

There was no question about the correctness of the entries until 1893 when he informed the Head Munshi of the Munsiff's Court that he was about 42 years old (see written statement filed before the Magistrate). The Head Munshi refused to accept his statement since it was contrary to the entry made in the Service Register. Ramappa says that he complained to the Munsiff who directed him to produce the horoscope if he had one. The date of the order does not appear from the record. Nothing was done until May 1895 when he produced a horoscope before the Munsiff who was about to leave the station

on transfer to another station. The Munsiff endorsed upon the Register that the age must be corrected according to the horoscope"

It does not appear that Munsiff Venkatachar made any enquiry to satisfy himself as to the genuineness of the horoscope, and Ramappa does not say that he adduced any evidence.

The register has been corrected. The date of birth is fixed the 12th May 1853 (It may be observed that this is incorrect according to the horoscope it ought to be 12th April 1853) and the age on the date of appointment 29 years and 4 months

Since the alterations were not attested by any Officer, an enquiry was deemed necessary. Ramappa stated before the Munsiff that he had produced the original horoscope before Mr. Venkatachar and he again produced it before the Court. But the paper on which it is written is of 1890. When this fact was brought to his notice and he was questioned how the horoscope could have been written upon the paper in 1865 or 1853. he was not able to give

satisfactory

satisfactory explanation.

The facts warrant the suspicion that Namappa was a party to the fabrication of the horoscope produced before the Court the succeeding in imposing upon Mr Venkatachar and would have succeeded in imposing upon Mr. Gopalaswamy if the latter had not taken care to scrutinize the document.

According to the entry originally made in the Service Register, Namappa has passed the fifty fifth year since he does not appear to be an honest man, it is not desirable to retain him longer in the service he will be retired on such pension as he may be entitled to.

Copy

Asst. Secy

Registrar

mm

161 2 Dft 3 26

Read:—

Petition Registered No 1740R dated the 2nd Feb 1904 from Naranappa late Dy Nazir of the Nanjangud Munsiffs court praying for the grant of pension

2. Letter No 6964/298 dt: the 24th May 1904 from the Registrar of the Chief Court of Mysore explaining the circumstances under which Naranappa late Dy Nazir of the Nanjangud Munsiffs' court lost his claim to pension and forwarding for information copy of the Pro: of the Chief Court No 355/20 dt: the 8th July 1901, on the subject.

Order thereon No 7K.243 SRA.34-'03 dt 11-7-1904

Naranappa's conduct as disclosed in the order of the Chief Court, was most suspicious. He deserves no concession. The Chief Court's order does not entitle him to

28/6/04

to a pension. His prayer
cannot therefore be granted

Secretary

22/6/04

To the Registrar of the Ships
of Europe

1 2 of 19(6) 28

No. R. 244
SRA 36 403

Graciod Rev: Secretariat
~~MYSORE DEWAN'S OFFICE,~~
24,
~~PETITION DEPARTMENT.~~

The 14th July ~~189~~ 1902

ENDORSEMENT GRANTED TO Naranappa late Oz. Nazir of the Nanjangud Munsiff's court

in reply to his Petition Registered No. 1740 R dated the 2nd Feby 1902 praying for the grant of pension

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Petitioner is informed that as per chief court's proceedings he is not entitled to any pension and his prayer cannot therefore be granted

By Order,

25/6/1902

~~Asst~~ Secretary.

22/6/02

22/6/02

counted 2nd 11/7 16/7